

## FACSIMILE COVER SHEET

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TO: Examiner Abigail Manda Cotton  
Examining Group 1617

FROM: Frank C. Eisenschenk  
Patent Attorney  
Registration No. 45,332

COMPANY: United States Patent and  
Trademark Office

DATE: January 8, 2007

FAX NO.: 571-273-8300

NO. OF PAGES  
(INCLUDING COVER SHEET): 2

## SUBJECT/MESSAGE:

Re: U.S. Patent Application Docket No. TPI-350C1  
PHARMACEUTICAL CO-CRYSTAL COMPOSITIONS  
Serial No.: 10/660,202; Date filed: September 11, 2003  
Applicant: Örn Almarsson

## Submission to PTO:

1. Election under 35 U.S.C. §121

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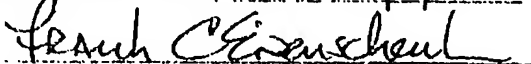
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Frank C. Eisenschenk, Ph.D., Patent Attorney

ELECTION UNDER 35 U.S.C. §121  
Examining Group 1617  
Patent Application  
Docket No. TPI-350C1  
Serial No. 10/660,202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Abigail Manda Cotton  
Art Unit : 1617  
Applicants : Örn Almarsson, Magali Bourghol Hickey, Matthew L. Peterson,  
Michael J. Zaworotko, Brian Moulton, Nair Rodriguez-Hernando  
Serial No. : 10/660,202  
Filed : September 11, 2003  
For : Pharmaceutical Co-Crystal Compositions

MS AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

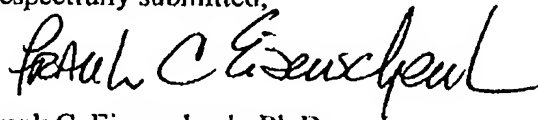
ELECTION UNDER 35 U.S.C. §121

Sir:

In response to the written restriction requirement dated December 6, 2006, the applicants hereby elect with traverse to prosecute the Group I claims, e.g., claims 1-2, 9-11, and 37, drawn to a pharmaceutical co-crystal composition comprising an API and a co-crystal former, wherein the API and co-crystal former are hydrogen-bonded to each other.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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